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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/757,222

01/14/2004

John David Kaewell JR.

I-1-0064.5US

3792

24374 7590 07/26/2007

VOLPE AND KOENIG, P.C.  
DEPT. ICC  
UNITED PLAZA, SUITE 1600  
30 SOUTH 17TH STREET  
PHILADELPHIA, PA 19103

EXAMINER

CHEN, JUNPENG

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

07/26/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/757,222	Applicant(s) KAEWELL ET AL.	
	Examiner Junpeng Chen	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement files on 04/28/2004 and 01/25/2007 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because no copy of each cited foreign patent document (with translation) and each non-patent literature are provided. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-8** are rejected under 35 U.S.C. 102(e) as being anticipated by **Raith et al. (U.S. Patent 5,603,081)**.

Consider **claim 1**, Raith discloses a method for conserving power in a subscriber unit in a wireless communication system, said method comprising the steps of: dividing a common channel into a plurality of recurring timeslots (read as timeslots 1-6, Figure 3, line 25-39 of column 8); choosing an assigned timeslot from one of said plurality of recurring timeslots for transmission of messages to said subscriber unit (read as timeslot slot 3); reducing processing in said subscriber unit during at least one timeslot other than said assigned timeslot, thereby conserving power in said subscriber unit (read as switching off the mobile station to save power).

Consider **claim 2, as applied to claim 1 above**, Raith discloses wherein said wireless communication system is a TDMA system (read as TDMA cellular system, line 25 of column 8).

Consider **claim 3**, Raith discloses a method for conserving power in a subscriber unit in a wireless communication system, said method comprising the steps of: dividing a common channel into a plurality of recurring timeslots (read as timeslots 1-6, Figure 3, line 25-39 of column 8); choosing an assigned timeslot from one of said plurality of recurring timeslots for transmission of messages to said subscriber unit (read as timeslot slot 3); stopping processing in said subscriber unit during at least one timeslot other than said assigned timeslot, thereby conserving power in said subscriber unit (read as switching off the mobile station to save power, Figure 3, line 25-39 of column 8).

Consider **claim 3, as applied to claim 4 above**, Raith discloses wherein said wireless communication system is a TDMA system (read as TDMA cellular system, line 25 of column 8).

Consider **claim 5**, Raith discloses a subscriber station in a wireless communication systems receiving messages in an assigned timeslot of a common channel, comprising: a receiver for monitoring said timeslot to receive said messages (read as mobile station performs receiving in slot 3, Figure 3, line 25-39 of column 8); a digital signal processor for processing said messages (read as the inherently existing DSP for processing the received messages/signals); and, power conservation circuitry to reduce processing in said digital signal processor during timeslots of said common channel other than said assigned timeslot (read as switch off the mobile station to save power, Figure 3, line 25-39 of column 8).

Consider **claim 6, as applied to claim 5 above**, Raith discloses wherein said wireless communication system is a TDMA system (read as TDMA cellular system, line 25 of column 8).

Consider **claim 7**, Raith discloses a subscriber station in a wireless communication systems receiving messages in an assigned timeslot of a common channel, comprising: a receiver for monitoring said timeslot to receive said messages (read as mobile station performs receiving in slot 3, Figure 3, line 25-39 of column 8); a digital signal processor for processing said messages (read as the inherently existing DSP for processing the received messages/signals); and, power conservation circuitry to reduce processing in said digital signal processor during timeslots of said common

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channel other than said assigned timeslot (read as switch off the mobile station to save power, Figure 3, line 25-39 of column 8).

Consider **claim 8, as applied to claim 7 above**, Raith discloses wherein said wireless communication system is a TDMA system (read as TDMA cellular system, line 25 of column 8).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Henry; Raymond C.	US 5590396 A	Method and apparatus for a deep-sleep mode in a digital cellular communication system
Gould; Adam F. et al.	US 5491718 A	CDMA radiotelephone having optimized slotted mode and long code operation

4. Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

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**Hand-delivered responses** should be brought to

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Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Junpeng Chen whose telephone number is (571) 270-1112. The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Junpeng Chen  
J.C./jc

  
NAY MAUNG  
SUPERVISORY PATENT EXAMINER